

and it is clear from the locality and habitat mentioned that the record belongs with the common name, having been inadvertently inserted under *Cinclus* by the printer, while the note intended for the Dipper was entirely crowded out by the same individual. Similarly, the note following, on the Blue-gray Gnatcatcher, will be found also out of its proper place, being inserted under the family Cinclidae. The record of the Western Bluebird from the Niobrara made by Aughey himself is probably a valid one, but the reported abundance of the species in Otoe County is almost certainly a misidentification by Mr. Morton for the common Bluebird which was and still is abundant there.

Progne subis. PURPLE MARTIN.—This year I have seen the Purple Martin commonly across the State; at Imperial June 22, at Culbertson June 23–25, at Stratton June 28, and at Glen, Sioux County, August 5–23. Our previous westernmost record was from North Platte.

Spizella socialis arizonæ. WESTERN CHIPPING SPARROW.—The suspicion expressed on p. 88 of the 'Birds of Nebraska' has proved true. A breeding pair of the Chipping Sparrow obtained by me at Glen, Sioux County, August 6, 1905, are very decidedly of the western race. These specimens substantiate the recording of this bird as another addition to our State list.

Cyanocitta stelleri annectens. BLACK-HEADED JAY.—The second record for the State rests upon a bird seen by Prof. Bruner and myself in Warbonnet Cañon, Sioux County, August 9, 1905.

Corvus brachyrhynchos. CROW.—This bird is increasing in Sioux County. The Glen flock mentioned in the 'Birds of Nebraska' has this year increased to twenty-eight.

Selasphorus platycercus. BROAD-TAILED HUMMINGBIRD.—A pair of these hummers was seen each day about our camp at Glen, August 18–22, feeding at *Cleome* flowers. I feel quite sure that they bred in the vicinity this year.

Actitis macularia. SPOTTED SANDPIPER.—Additional western Nebraska records for this species are a pair seen on a sandbar near Stratton, June 28, evidently breeding near, and three seen at a small pond near Fort Robinson, August 23, in company with several Solitary Sandpipers.—MYRON H. SWENK, *Dept. Entomology and Ornithology, University of Nebraska.*

Should Bird Protection Laws and their Enforcement be in the Hands of the National Government?—There are several reasons why the protection of birds should be in the hands of the National Government.

In the first place, the law which protects bird life from wanton destruction should be uniform throughout the country, and no State or Territory should be without it. As the formulating of the law is a task which requires some knowledge of birds and their habits, and since this knowledge cannot be expected to be possessed by State legislators, the wording of the law

should not be entrusted to State legislatures liable to commit grave errors. For instance, by substituting the word Chicken Hawk for Duck Hawk or Peregrine Falcon the Missouri legislature has sealed the doom of our best mice destroyers, the Marsh and Rough-legged Hawks and the different Buteos, all of which are universally known by the name of chicken hawk.

But while the making of the law is of importance, the enforcement of it is still more important and should not be left to a State game warden who may or may not be in sympathy with it, possibly being a very good fish and game warden, but a very poor protector of birds generally. Even if he should be an enthusiastic bird protectionist, the work itself must chiefly rest in the hands of his deputies and of the local police as *ex officio* game wardens, men who very often are not in sympathy with the law and would not want to incur the enmity of their fellow citizens for the sake of a law for which they generally care but little or not at all.

We are all agreed to admit that wild birds do not belong to the owner of the ground on which they temporarily alight or over which they chance to fly, but we have not questioned the proprietorship of the State in which the bird is found, though we know that with few exceptions birds travel through a number of States in their migrations and generally spend the winter in one State, the summer in another. It is plain to see that the birds are the guests of the Nation, and that it is therefore the sacred duty of the Nation to give them their protection while with us. As with the landbirds so with the seabirds which come to our shores to breed or fly along our coasts to feed, or in their migrations. They are certainly as much the guests of the country as the landbirds and entitled to protection by the Nation as a whole. Their fate should not be left to the benevolence of private persons. A task so difficult and important should rest on the shoulders of the National Government which alone is able to give the needed protection in full measure. A Nation that spends hundreds of millions to protect her citizens and their rights and interests should be able to give full protection to its feathered wards, for as such must we regard these defenseless creatures. We owe it to posterity to do everything in our power to preserve the beautiful in creation, and not least among that are the birds. It is not only their economic, but also, and much more so, their esthetic value which has to be considered when we form and give judgment on the relation of birds to man and on their right to live. This esthetic worth may have played a small part in the past among the poorly educated masses of our rural population, but it will be of immensely more importance for the better educated and cultured population of the future to which bird life will be a great relief of the monotony of country life already threatening to become almost unbearable by the disappearance of trees, shrubs, wild flowers, and everything else pertaining to beauty and loveliness in Nature.—OTTO WIDMANN, *St. Louis, Mo.*